

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. \_\_\_\_\_  
v. : DATE FILED: \_\_\_\_\_  
:   
LYDIA CARTER : VIOLATION: 18 U.S.C. § 924(a)(1)(A)(False  
: statements - 1 count)  
:   
: Notice of forfeiture

**INFORMATION**

**COUNT ONE**

THE UNITED STATES ATTORNEY CHARGES THAT:

AT ALL TIMES MATERIAL TO THIS INFORMATION:

1. C & D Coin & Gun Shop, Inc., 231 East Broad Street, Bethlehem, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal law.
2. John's Gun and Tackle Room, 2604 Freemansburg Avenue, Easton, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal law.
3. FFL holders were licensed, among other things, to sell firearms and ammunition. Various rules and regulations promulgated under the authority of Title 18, United States Code, Chapter 44 (Sections 921-929), govern the manner in which an FFL holder may sell firearms and ammunition.
4. The rules and regulations governing FFL holders required that a person seeking to purchase a handgun fill out a "Firearms Transaction Record," ATF Form 4473. Part of the Form 4473 required that the prospective purchaser certify truthfully, subject to penalties of perjury, that she was the actual buyer of the firearm. The Form 4473 contained language warning that "[t]he federal firearms laws require that the individual filling out this form must be buying

the firearm for [her]self or as a gift. Any individual who is not buying the firearm for himself/herself or as a gift, but who completes this form, violates the law.”

5. A person who purchases a firearm for another person and falsely completes the Form 4473 is a "straw purchaser." The federal offense alleged in the information, a felony, is commonly known as "straw purchasing" or "lying and buying."

6. FFL holders were required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder.

7. On or about each of the dates specified in the chart below, in the Eastern District of Pennsylvania, defendant

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knowingly made a false statement and representation with respect to the information required to be kept in the records of a federally licensed firearms dealer in connection with the acquisition of each of the firearms listed below, from the federally licensed firearms dealers listed below, in that the defendant falsely represented that she was the actual buyer of the firearms described below, when in fact the defendant knew those representations to be false.

<b>Purchase #</b>	<b>DATE AND FFL</b>	<b>FIREARM(S ) PURCHASED</b>
1	November 18, 1999  C & D Coin & Gun Shop, Inc. 231 East Broad Street Bethlehem, Pennsylvania 18018	1 Smith &Wesson, model 910, 9mm pistol, serial number TDN-8999  1 Bersa, model Thunder 380, .380 caliber pistol, serial number 389335

2	November 24, 1999  John's Gun & Tackle Room, 2604 Freemansburg Ave. Easton, Pennsylvania 18045	2 Ruger, model P-95, 9mm pistols, serial numbers 312-78668 and 312-84984
3	January 5, 2000  C & D Coin & Gun Shop, Inc. 231 East Broad Street Bethlehem, Pennsylvania 18018	1 Bersa, model Thunder 380, .380 caliber pistol, serial number 389334
4	January 14, 2000  John's Gun & Tackle Room, 2604 Freemansburg Ave. Easton, Pennsylvania 18045	2 Ruger, model P-95, 9mm pistols, serial numbers 313-59596 and 313-61495  1 Intratec, model CAT 45, .45 caliber pistol, serial number 000548

In violation of Title 18, United States Code, Section 924(a)(1)(A).

## NOTICE OF FORFEITURE

1. As a result of the violation of Title 18, United States Code, Section 924(a)(1)(A), as set forth in Count One of this Information, defendant

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shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), all firearms involved in the commission of this offense, including, but not limited to:

- a. Smith & Wesson, model 910, 9mm pistol, serial number TDN-8999;
- b. Bersa, model Thunder 380, .380 caliber pistol, serial number 389335 ;
- c. Ruger, model P-95, 9mm pistol, serial number 312-78668;
- d. Ruger, model P-95, 9mm pistol, serial number 312-84984;
- e. Bersa, model Thunder 380, .380 caliber pistol, serial number 389334;
- f. Ruger, model P-95, 9mm pistol, serial number 313-59596;
- g. Ruger, model P-95, 9mm pistol, serial number 313-61495;
- h. Intratec, model CAT 45, .45 caliber pistol, serial number 000548;

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

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PATRICK L. MEEHAN  
United States Attorney